

teriological tests of the Foot Pal showed that it was not antiseptic when used as directed.

The Foot Pal was alleged to be misbranded in that the statement "antiseptic," borne on the bottle label, was false and misleading since said statement represented that the article was an antiseptic when used as directed; whereas it was not an antiseptic when used as directed.

All articles were alleged to be misbranded in that certain statements in the labeling, regarding their curative and therapeutic effects, were false and fraudulent in the following respects: The bottle label of the Foot Pal falsely and fraudulently represented that the article was effective as an antiseptic against serious consequences resulting from infections; effective as a treatment, remedy, and cure for blisters and wounds from stepping on nails; effective to draw out rust and dirt; and effective to heal quickly; certain statements on the bottle label of the Big-Chief Herbs falsely and fraudulently represented that the article was effective as a relief for headaches, sinus, catarrh, hay fever, and asthma; certain statements on the boxes and cartons of the Minnehaha Indian Herbs falsely and fraudulently represented that the article was effective as Nature's own remedy; effective as a treatment, remedy, and cure for auto-intoxication and acid stomach due to constipation, and effective as a stimulant to the kidneys. Certain statements in the circular enclosed in the cartons of a portion of the Minnehaha Indian Herbs falsely and fraudulently represented that the article was effective as a tonic and to correct constipation and its results, such as rheumatism, kidney trouble, and stomach disorders; and effective as a treatment, remedy, and cure for weak, run-down condition, stomach disorders, sick headache, kidney troubles, tired, weak, run-down feeling, insomnia, diseased kidneys, ulcers of the stomach, loss of appetite, lowered vitality, coated tongue, skin blemishes, catarrh, fevers, nervousness, indigestion, and kindred ailments.

On June 28, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$25.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27539. Misbranding of Shiloh. U. S. v. S. C. Wells & Co. Plea of guilty. Fine, \$200. (F. & D. No. 38615. Sample No. 13203-C.)**

The labeling of this product bore false and fraudulent curative and therapeutic claims.

On February 15, 1937, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against S. C. Wells & Co., a corporation, Le Roy, N. Y., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about July 13, 1936, from the State of New York into the State of Pennsylvania of a quantity of Shiloh which was misbranded. It was labeled in part: "Shiloh for coughs, etc. \* \* \* Prepared only by S. C. Wells & Company, Toronto, Can., Le Roy, N. Y."

Analysis showed that the article consisted essentially of terpin hydrate, tar oil, volatile oils including peppermint oil, chloroform, glycerin, and water.

It was alleged to be misbranded in that certain statements, designs, and devices regarding its therapeutic and curative effects, borne on the bottle label and carton, falsely and fraudulently represented that it was effective as a treatment for coughs, hoarseness, angina, whooping cough, spasmodic croup, sore throat, inflammation of the bronchi, shortness of breath, consumption, and all pulmonary diseases.

On July 20, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$200.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27540. Misbranding of World's Wonder Massage and World's Wonder System Builder. U. S. v. World's Wonder Medicine Co., Inc., Francis Cooper, and Robert A. Walton. Pleas of nolo contendere. World's Wonder Medicine Co. fined \$200; payment suspended for 5 years. Francis Cooper and Robert A. Walton placed on probation for 5 years. (F. & D. No. 38625. Sample Nos. 6628-C, 6629-C.)**

Examination showed that the labeling of these products bore false and fraudulent statements regarding their curative and therapeutic effects, and that the System Builder was not composed of the ingredients listed on the label.

On March 12, 1937, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the World's Wonder Medicine Co., Inc.,

Detroit, Mich., and Francis Cooper and Robert A. Walton, officers of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act on or about June 16, 1936, from the State of Michigan into the State of Mississippi of quantities of World's Wonder Massage and World's Wonder System Builder that were misbranded. The articles were labeled in part: "World's Wonder Medicine Company, Inc."

Analyses showed that the Massage consisted essentially of small proportions of ammonia water, quinine, volatile oils including methyl salicylate and camphor, oil of turpentine, alcohol, and water; and that the System Builder consisted essentially of Epsom salt, extracts of plant drugs including a laxative plant drug and an alkaloid-bearing drug, sugar, and water.

The articles were alleged to be misbranded in that certain statements, designs, and devices regarding their curative and therapeutic effects, appearing in the labeling, falsely and fraudulently represented that the Massage was effective as a treatment, remedy, and cure for rheumatism, swollen feet, stiff joints, pneumonia, pleurisy, cold in the chest and swelling, and that the System Builder was effective as a system builder and as a treatment, remedy, and cure for indigestion, scrofula, skin diseases, kidney trouble, dyspepsia, chronic stomach trouble, hoarseness, chronic rheumatism, blood diseases, ringworms, bilious fever, syphilis, inflamed breast; and effective to quiet the nerves and cleanse the entire system.

The System Builder was alleged to be misbranded further in that the statements, "The herbs it contains Horehound, Prickly Ash, Red Clover, Red Purcoon, Black Root, Poke Root and other herbs," borne on the bottle label, were false and misleading since they represented that the article consisted essentially of the said ingredients, whereas it consisted essentially of Epsom salt, extracts of plant drugs, including a laxative plant drug and an alkaloid-bearing drug, sugar, and water.

On May 3, 1937, pleas of nolo contendere were entered on behalf of the defendants and the corporation was sentenced to pay a fine of \$200, payment of which was suspended for a period of 5 years. The individual defendants also were each placed on probation for 5 years.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27541. Adulteration and misbranding of sodium fluoride tablets and phenobarbital tablets. U. S. v. F. W. Bascomb & Son, Inc. Plea of nolo contendere. Fine, \$800. Payment suspended. (F. & D. No. 38626. Sample Nos. 56537-B, 56539-B.)**

These tablets contained smaller amounts of the designated drugs than declared.

On April 10, 1937, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against F. W. Bascomb & Son, Inc., Detroit, Mich., alleging shipment by said company in violation of the Food and Drugs Act, on or about July 2, 1935, and January 30, 1936, from the State of Michigan into the State of Wisconsin, of a quantity of sodium fluoride tablets and phenobarbital tablets, respectively, which were adulterated and misbranded. The articles were labeled: "Sodium fluoride  $\frac{1}{2}$  gr. F. W. Bascomb & Son Detroit, Mich."; "Phenobarbital  $1\frac{1}{2}$  grs. F. W. Bascomb & Son, Detroit, Mich."

They were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold in the following respects: Each of the sodium fluoride tablets was represented to contain one-half grain of sodium fluoride, whereas each of said tablets contained less than represented, namely, not more than 0.39 grain, i. e., not more than two-fifths grain of sodium fluoride; each of the phenobarbital tablets was represented to contain  $1\frac{1}{2}$  grains of phenobarbital, whereas each of said tablets contained less than represented, namely, not more than 1.22 grains of phenobarbital.

The articles were alleged to be misbranded in that the statements, "Sodium fluoride  $\frac{1}{2}$  gr." and "Phenobarbital \* \* \*  $1\frac{1}{2}$  grs.," borne on the labels, were false and misleading since the former contained less than one-half grain of sodium fluoride and the latter contained less than  $1\frac{1}{2}$  grains of phenobarbital.

On July 2, 1937, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$800—payment to be suspended for 5 years.

HARRY L. BROWN, *Acting Secretary of Agriculture.*